

109TH CONGRESS
1ST SESSION

H. R. 586

To preserve the use and access of pack and saddle stock animals on public lands, including wilderness areas, national monuments, and other specifically designated areas, administered by the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, or the Forest Service where there is a historical tradition of such use, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2005

Mr. RADANOVICH introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To preserve the use and access of pack and saddle stock animals on public lands, including wilderness areas, national monuments, and other specifically designated areas, administered by the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, or the Forest Service where there is a historical tradition of such use, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Right-to-Ride Live-
3 stock on Federal Lands Act of 2005”.

4 **SEC. 2. USE AND ACCESS OF PACK AND SADDLE ANIMALS**
5 **ON PUBLIC LANDS.**

6 (a) NATIONAL PARK SYSTEM LANDS.—Section 12 of
7 Public Law 91–383 (16 U.S.C. 1a–7) is amended by add-
8 ing at the end the following new subsection:

9 “(c) USE AND ACCESS OF PACK AND SADDLE ANI-
10 MALS.—

11 “(1) GENERAL RULE.—The Secretary of the
12 Interior shall provide for the management of Na-
13 tional Park System lands to preserve and facilitate
14 the continued use and access of pack and saddle
15 stock animals on such lands, including wilderness
16 areas, national monuments, and other specifically
17 designated areas, where there is a historical tradi-
18 tion of such use. As a general rule, all trails, routes,
19 and areas used by pack and saddle stock shall re-
20 main open and accessible for such use. The Sec-
21 retary may implement a proposed reduction in the
22 use and access of pack and saddle stock animals on
23 such lands only after complying with the full review
24 process required under the National Environmental
25 Policy Act of 1969 (42 U.S.C. 4321 et seq.).

1 “(2) RULES OF CONSTRUCTION.—Nothing in
2 paragraph (1) shall be construed—

3 “(A) to authorize the Secretary to refuse
4 to issue a permit for a new use of pack and
5 saddle stock animals, including use by a com-
6 mercial outfitter or guide, without complying
7 with applicable resource management plans and
8 planning processes required under this Act or
9 any other provision of law;

10 “(B) to limit the authority of the Secretary
11 to impose a temporary emergency closure of a
12 trail, route, or area to pack and saddle stock
13 animals or issue special permits; or

14 “(C) to create a preference for one rec-
15 reational use for any unit of the National Park
16 System, without consideration of the stated
17 purpose of the unit.”.

18 (b) BUREAU OF LAND MANAGEMENT LANDS.—Sec-
19 tion 302 of the Federal Land Policy and Management Act
20 of 1976 (43 U.S.C. 1732) is amended by adding at the
21 end the following new subsection:

22 “(e) USE AND ACCESS OF PACK AND SADDLE ANI-
23 MALS.—

24 “(1) GENERAL RULE.—The Secretary shall pro-
25 vide for the management of public lands to preserve

1 and facilitate the continued use and access of pack
2 and saddle stock animals on such lands, including
3 wilderness areas, national monuments, and other
4 specifically designated areas, where there is a historical
5 tradition of such use. As a general rule, all
6 trails, routes, and areas used by pack and saddle
7 stock shall remain open and accessible for such use.
8 The Secretary may implement a proposed reduction
9 in the use and access of pack and saddle stock animals
10 on such lands only after complying with the
11 full review process required under the National Environmental
12 Policy Act of 1969 (42 U.S.C. 4321 et
13 seq.).

14 “(2) RULES OF CONSTRUCTION.—Nothing in
15 paragraph (1) shall be construed—

16 “(A) to authorize the Secretary to refuse
17 to issue a permit for a new use of pack and
18 saddle stock animals, including use by a commercial
19 outfitter or guide, without complying
20 with applicable resource management plans and
21 planning processes required under this Act or
22 any other provision of law;

23 “(B) to limit the authority of the Secretary
24 to impose a temporary emergency closure of a

1 trail, route, or area to pack and saddle stock
2 animals or issue special permits; or

3 “(C) to create a preference for one rec-
4 reational use for any area of the public lands,
5 without consideration of the stated purpose of
6 the area.”.

7 (c) NATIONAL WILDLIFE REFUGE SYSTEM LANDS.—
8 Section 4(d) of the National Wildlife Refuge System Ad-
9 ministration Act of 1966 (16 U.S.C. 668dd(d)) is amend-
10 ed by adding at the end the following new paragraph:

11 “(5)(A) The Secretary shall provide for the manage-
12 ment of System lands to preserve and facilitate the contin-
13 ued use and access of pack and saddle stock animals on
14 such lands, including wilderness areas, national monu-
15 ments, and other specifically designated areas, where there
16 is a historical tradition of such use. As a general rule,
17 all trails, routes, and areas used by pack and saddle stock
18 shall remain open and accessible for such use. The Sec-
19 retary may implement a proposed reduction in the use and
20 access of pack and saddle stock animals on such lands only
21 after complying with the full review process required under
22 the National Environmental Policy Act of 1969 (42 U.S.C.
23 4321 et seq.).

24 “(B) Nothing in subparagraph (A) shall be con-
25 strued—

1 “(i) to authorize the Secretary to refuse to
2 issue a permit for a new use of pack and saddle
3 stock animals, including use by a commercial out-
4 fitter or guide, without complying with applicable re-
5 source management plans and planning processes re-
6 quired under this Act or any other provision of law;

7 “(ii) to limit the authority of the Secretary to
8 impose a temporary emergency closure of a trail,
9 route, or area to pack and saddle stock animals or
10 issue special permits; or

11 “(iii) to create a preference for one recreational
12 use for any unit of the System, without consider-
13 ation of the stated purpose of the unit.”.

14 (d) NATIONAL FOREST SYSTEM LANDS.—Section 15
15 of the Forest and Rangeland Renewable Resources Plan-
16 ning Act of 1974 (16 U.S.C. 1613) is amended—

17 (1) by inserting “(a)” before “Regulations”;
18 and

19 (2) by adding at the end the following new sub-
20 section:

21 “(b) USE AND ACCESS OF PACK AND SADDLE ANI-
22 MALS.—

23 “(1) GENERAL RULE.—The Secretary shall pro-
24 vide for the management of National Forest System
25 lands to preserve and facilitate the continued use

1 and access of pack and saddle stock animals on such
2 lands, including wilderness areas, national monu-
3 ments, and other specifically designated areas, where
4 there is a historical tradition of such use. As a gen-
5 eral rule, all trails, routes, and areas used by pack
6 and saddle stock shall remain open and accessible
7 for such use. The Secretary may implement a pro-
8 posed reduction in the use and access of pack and
9 saddle stock animals on such lands only after com-
10 plying with the full review process required under
11 the National Environmental Policy Act of 1969 (42
12 U.S.C. 4321 et seq.).

13 “(2) RULES OF CONSTRUCTION.—Nothing in
14 paragraph (1) shall be construed—

15 “(A) to authorize the Secretary to refuse
16 to issue a permit for a new use of pack and
17 saddle stock animals, including use by a com-
18 mercial outfitter or guide, without complying
19 with applicable resource management plans and
20 planning processes required under this Act or
21 any other provision of law;

22 “(B) to limit the authority of the Secretary
23 to impose a temporary emergency closure of a
24 trail, route, or area to pack and saddle stock
25 animals or issue special permits; or

1 “(C) to create a preference for one rec-
2 reational use for any unit of the National For-
3 est System, without consideration of the stated
4 purpose of the unit.”.

5 (e) ISSUANCE OF RULES.—Not later than 120 days
6 after the date of the enactment of this Act, the Secretary
7 of the Interior and the Secretary of Agriculture shall issue
8 final rules to define the meaning of a historical tradition
9 of use of pack and saddle stock animals on Federal lands
10 for purposes of the amendments made by this section.

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